

## **REMARKS/ARGUMENTS**

Claims 1-16 are presently pending in the application as set forth in the preliminary amendment filed with the application.

In this amendment, Claims 1 and 15 have been amended.

Claim 17 has been added.

Claims 2-14 and 16 remain unchanged.

As set forth below, the Claims as presented above are believed to be in condition for allowance. For at least the reasons set forth below, reconsideration of the Application and issuance of a Notice of Allowability are respectfully requested.

### **Allowable Subject Matter**

Applicant appreciates the Examiner's indication that Claim 15 was only objected to, and that Claim 15 would be allowable if rewritten in independent from. Claim 15 depended directly from Claim 1, and has been amended to incorporate the elements of Claim 1. Claim 15 is therefore believed to be in condition for allowance.

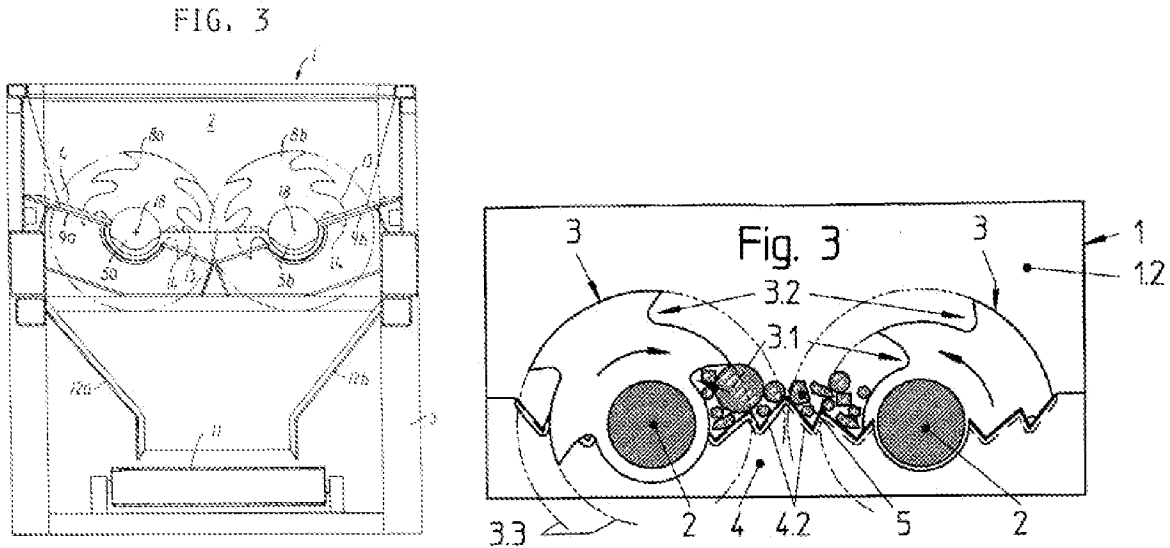
### **Rejections under 35 U.S.C. §§102 and 103**

The Examiner rejected Claims 1-5, 13, 14 and 16 under 35 U.S.C. §102 as being anticipated by Aagaard (US 5992777). The Examiner further rejected Claims 6-12 under 35 U.S.C. §103 as being obvious in view of Aagaard.

Claim 1 has been amended to provide that each rigid cutting tool has "teeth arranged in a saw-like manner providing flanks at an angle to each other".

Aagaard discloses a comminution or grinding machine having disk shaped knives 8a,8b and fixed lower knives 9a,b. The fixed lower knives are straight, as best seen in 3 of Aagaard. Aagaard does not disclose a fixed knife having teeth arranged in a saw-like manner" as set forth in Claim 1. The shape of the rigid cutting tool in the present

application is shown in FIGS. 3-5 of the present application. Fig. 3 of Aagaard and Fig. 3 of the application are shown below for comparison.



Aagaard Fig. 3

Application, Fig. 3

Aagaard neither teaches nor suggests that the fixed knives have teeth arranged in a saw-like like manner. In fact, in the numerous embodiments shown in Aagaard, the fixed knives are all straight (except for one which is wavy). However, in none of these several embodiments, does Aagaard suggest that the fixed knives could have teeth, as is set forth in Claim 1. In view of the fact that Aagaard neither teaches nor suggests such a fixed knife, Aagaard does not anticipate or make obvious Claim 1 as currently set forth. Claims 2-14 and 16 all depend directly (or indirectly) from Claim 1, and hence are not anticipated or made obvious by Aagaard.

### New Claim

New claim 17 has been added. Claim 17 depends from Claim 1 and provides that "imaginary extensions of the cutting edges of the rigid cutting tools do not intersect the axis of the at least one shaft or regions around this axis." This is shown in FIGS. 3-5 and described at page 9, lines 24-29 of translated PCT application. FIG. 3 is reproduced above. Thus, this amendment is does not add new matter to the application. Claim 17 is believed to be allowable in view of its dependency from Claim 1. Initially, new Claim 17 depends from Claim 1, and is thus believed to be allowable for

the same reasons set forth above in conjunction with Claim 1. Further, none of the references of record are believed to teach or suggest the subject matter of new Claim 17. Hence, Claim 17 is believed to be allowable independently of Claim 1.

In view of the foregoing, Claims 1-17 are believed to be in condition for allowance. A Notice of Allowability with respect to these claims is thus respectfully requested.

You are hereby authorized to charge payment of an extension fee associated with this communication or credit any overpayment to Deposit Account No. 162201.

Respectfully Submitted,

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